

In Re: Methyl Tertiary Butyl Ether : Master File C.A. No.
("MTBE") Products Liability : 00 Civ. 1898 (SAS)
Litigation : MDL 1358

This document pertains to:
City of New York v. Amerada Hess,
et al.,
No. 04 Civ. 3417

JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE


USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/19/09

The Court having reviewed the objections to designated portions of the deposition of Timothy E. Buscheck dated September 11 and November 9, 2000, the objections are determined as follows, except insofar as any relevance objections not explicitly ruled on are reserved for trial:

<u>Tab</u>	<u>Pages/Lines</u>	<u>Ruling</u>
(9/11/00)		
1	137:1-137:3 137:18-137:20	Overruled; the witness is qualified to give this testimony, which is independent of the document references.
2	138:18-138:25	Overruled; the witness is qualified to give this testimony and distinguishes between the first and second questions asked.
(11/9/00)		
1	230:8-230:23	Overruled; the witness is qualified to give this testimony, and his response is sufficiently specific.
2	231:4-231:18	Overruled; <u>see</u> ruling for Tab 1.
3	234:1-234:6	Overruled as to foundation; relevance objection reserved.
4	245:14-245:22	Overruled as to ambiguity; relevance objection reserved.
5	296:20-297:1	Overruled; <u>see</u> ruling for Tab 3.

7 335:9-335:20 Overruled; the witness is testifying to his knowledge, not offering a document.

SO ORDERED.


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
August 19, 2009

Copies mailed this date:

Susan E. Amron, Esq.
Environmental Law Division
New York City Law Department
100 Church Street
New York, New York 10007

Victor M. Sher, Esq.
Joshua Stein, Esq.
Sher Leff LLP
450 Mission Street, #400
San Francisco, CA 94105

Robert S. Chapman, Esq.
Greenberg Glusker LLP
1900 Avenue of the Stars, 21st Floor
Los Angeles, CA 90067

Peter John Sacripanti, Esq.
James A. Pardo, Esq.
Stephen J. Riccardulli, Esq.
McDermott Will & Emery LLP
340 Madison Avenue
New York, New York 10173

Anthony A. Bongiorno, Esq.
McDermott Will & Emery LLP
28 State Street
Boston, MA 02109

Jennifer Kalnins Temple, Esq.
McDermott Will & Emery LLP
18191 Von Karman Avenue, Suite 500
Irvine, CA 92612-7108

William Stack, Esq.
Exxon Mobile Corporation
P.O. Box 2180
Houston, TX 77252